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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux *et al.*

Confirmation No.: 9583

Application No.: 10/743,951

Group Art Unit: 1614

Filed: December 24, 2003

Examiner: To Be Assigned

For: ETHER COMPOUNDS AND  
COMPOSITIONS FOR  
CHOLESTEROL MANAGEMENT  
AND RELATED USES

Attorney Docket No.: 10173-113-999  
(CAM No.: 371855-999108)

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §§ 1.56 and 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing and prosecution of the above-identified application that are or may be related to patentability of the claimed invention, Attorneys for Applicants hereby invite the Examiner's attention to references **A01-A24**, **B01-B03** and **C01-C32** which are listed on the accompanying Form PTO-1449 entitled "List of References Cited By Applicant."

Copies of References **A01-A24**, **B01-B03** and **C01-C32** are not being submitted pursuant to 37 C.F.R. §1.98(d) since these references were made of record in prior application Serial No. 09/976,867, filed October 11, 2001, of which this application claims priority under 35 U.S.C. §120.

Identification of the listed references is not to be construed as an admission that such references are available as "prior art" against the subject application.

Applicants request that the Examiner review all the references identified on the attached Form PTO-1449, and that they be made of record in the file history of the above-identified application.

As this Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(3) before the mailing date of a first Office Action on the merits, Applicants

estimate that no fee is required. Should a fee be required, the Commissioner is authorized to charge such fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

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Date June 28, 2004

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<b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)	ATTY DOCKET NO.	APPLICATION NO
	10173-113-999	10/743,951
	APPLICANT	
	Dasseux et al.	
	FILING DATE	GROUP
	December 24, 2003	1614

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	6,143,755	11/7/00	Bocan			
	A02	6,124,309	9/26/00	Bocan			
	A03	6,093,744	7/25/00	Lee et al.			
	A04	6,093,719	7/25/00	Bocan			
	A05	6,017,905	1/25/00	Roark et al.			
	A06	5,981,595	11/9/99	Picard et al.			
	A07	5,968,963	10/19/99	Homan			
	A08	5,783,600	6/21/98	Bisgaier et al.			
	A09	5,756,544	5/26/98	Bisgaier et al.			
	A10	5,756,344	5/26/98	Onda et al.			
	A11	5,750,569	5/12/98	Bisgaier et al.			
	A12	5,648,387	7/15/97	Bisgaier et al.			
	A13	5,633,287	5/27/97	Lee et al.			
	A14	5,578,639	11/26/96	Homan			
	A15	5,504,073	4/2/96	Homan			
	A16	5,502,198	3/26/96	Picard et al.			
	A17	4,711,896	12/8/87	Bar-Tana et al.			
	A18	4,689,344	8/25/87	Bar-Tana			
	A19	4,634,719	1/6/87	Takaishi et al.			
	A20	4,613,593	9/23/86	Yamatsu et al.			
	A21	4,584,321	4/22/86	Manghisi et al.			
	A22	4,287,200	9/1/81	Kawamatsu et al.			
	A23	3,930,024	12/30/75	Creger			
	A24	3,773,946	11/20/73	Creger			

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO 99/00116	1/7/99	PCT				
	B02	WO 98/30530	7/16/98	PCT				
	B03	WO 96/30328	10/3/96	PCT				

### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C01	Acton et al., 1996, "Identification of scavenger receptor SR-BI as a high density lipoprotein receptor," Science <u>271</u> :518-520
C02	Badimon et al., 1992, "Role of high density lipoproteins in the regression of atherosclerosis," Circulation <u>86</u> (Suppl. III):86-94
C03	Barrans et al., 1996, "Pre-beta HDL: structure and metabolism," Biochem. Biophys Acta <u>1300</u> :73-85

**OTHER REFERENCES** (Including Author, Title, Date, Pertinent Pages, Etc.)

C04	Bisgaier et al., 1998, "A novel compound that elevates high density lipoprotein and activates the peroxisome proliferator activated receptor," J. Lipid Res. <u>39</u> :17-30; erratum at <u>39</u> :1317 (1998)
C05	Brown and Goldstein, 1990, "Drugs used in the treatment of hyperlipoproteinemias," In: <u>The Pharmacological Basis of Therapeutics</u> , 8 <sup>th</sup> Ed., Goodman & Gilman, eds., Pergamon Press, Ch. 36, pp. 874-896
C06	Bruce et al., 1998, "Plasma lipid transfer proteins, high-density lipoproteins, and reverse cholesterol transport," Annu. Rev. Nutr. <u>18</u> :297-330
C07	Dansky and Fisher, 1999, "High-density lipoprotein and plaque regression: the good cholesterol gets even better," Circulation <u>100</u> :1762-1763
C08	Decossin et al., 1997, "Subclasses of LpA-I in coronary artery disease: distribution and cholesterol efflux ability," Eur. J. Clin. Invest. <u>27</u> :299-307
C09	Fielding and Fielding, 1995, "Molecular physiology of reverse cholesterol transport," J. Lipid Res. <u>36</u> :211-228
C10	Gearing et al., 1993, "Interaction of the peroxisome-proliferator-activated receptor and retinoid X receptor," Proc. Natl. Acad. Sci. USA <u>90</u> :1440-1444
C11	Harris and Kletzien, 1994, "Localization of a pioglitazone response element in the adipocyte fatty acid-binding protein gene," Mol. Pharmacol. <u>45</u> :439-445
C12	Heyman et al., 1992, "9-cis retinoic acid is a high affinity ligand for the retinoid X receptor," Cell <u>68</u> :397-406
C13	Hidaka and Fidge, 1992, "Affinity purification of the hepatic high density lipoprotein receptor identifies two acidic glycoproteins and enables further characterization of their binding properties," Biochem. J. <u>284</u> :161-167
C14	Hirano et al., 1997, "Genetic cholesteryl ester transfer protein deficiency is extremely frequent in the Omagari area of Japan. Marked hyperalphalipoproteinemia caused by CETP gene mutation is not associated with longevity," Arterioscler. Thromb. Vasc. Biol. <u>17</u> :1053-1059
C15	Issemann and Green, 1990, "Activation of a member of the steroid hormone receptor superfamily by peroxisome proliferators," Nature <u>347</u> :645-650
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C19	Kurata et al., 1998, "A candidate high density lipoprotein (HDL) receptor, HB <sub>2</sub> , with possible multiple functions shows sequence homology with adhesion molecules," J. Atheroscler. and Thromb. <u>4</u> :112-117
C20	Lagrost et al., 1996, "Opposite effects of cholesteryl ester transfer protein and phospholipid transfer protein on the size distribution of plasma high density lipoproteins. Physiological relevance in alcoholic patients," J. Biol. Chem. <u>271</u> :19058-19065
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C22	Lazarow and Fujiki, 1985, "Biogenesis of peroxisomes," Annu. Rev. Cell Biol. <u>1</u> :489-530
C23	Levin et al., 1992, "9-cis retinoic acid stereoisomer binds and activates the nuclear receptor RXR $\alpha$ ," Nature <u>355</u> :359-361
C24	Nemali et al., 1988, "Comparison of constitutive and inducible levels of expression of peroxisomal $\beta$ -oxidation and catalase genes in liver and extrahepatic tissues of rat," Cancer Res. <u>48</u> :5316-5324
C25	Parra et al., 1992, "A case-control study of lipoprotein particles in two populations at contrasting risk for coronary heart disease. The ECTIM Study," Arterioscler. Thromb. <u>12</u> :701-707
C26	Reaven, 1993, "Role of insulin resistance in human disease (syndrome X): an expanded definition," Annu. Rev. Med. <u>44</u> :121-131
C27	Reddy and Lalwani, 1983, "Carcinogenesis by hepatic peroxisome proliferators: evaluation of the risk of hypolipidemic drugs and industrial plasticizers to humans," Crit. Rev. Toxicol. <u>12</u> :1-58
C28	Rigotti et al., 1996, "Regulation by adrenocorticotrophic hormone of the <i>in vivo</i> expression of scavenger receptor class B type I (SR-BI), a high density lipoprotein receptor, in steroidogenic cells of the murine adrenal gland," J. Biol. Chem. <u>271</u> :33545-33549
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C30	Staels and Auwerx, 1998, "Regulation of apo A-I gene expression by fibrates," Atherosclerosis <u>137</u> (Suppl.):S19-S23

	C31	Tontono et al., 1994, "Adipocyte-specific transcription factor ARF6 is a heterodimeric complex of two nuclear hormone receptors, PPAR $\gamma$ and RXR $\alpha$ ," Nucl. Acids Res. <u>22</u> :5628-5634
	C32	Vamecq and Draye, 1989, "Pathophysiology of peroxisomal $\beta$ -oxidation," Essays Biochem. <u>24</u> :115-225

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	